

**CITY OF TORRINGTON
PLANNING AND ZONING COMMISSION
MINUTES
March 16, 2016**

Present: Richard Calkins, Chairman
Greg Mele, Vice Chair
Paul Summers, Member
Jim Bobinski, Member
Donna Greco, Alternate
Jon Sheaffer, Alternate
Melanie McMillan, Alternate

Also Present: Martin Connor, AICP; City Planner

Not Present: Greg Perosino, Member

1. Call to Order:

Chairman Richard Calkins called the meeting to order at 7:00 p.m., Torrington City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT

2. Attendance/Announcement by Chairman:

Chairman Richard Calkins announced present and serving on the Commission this evening will be new Alternate Commissioner Melanie McMillan, Greg Mele, Paul Summers, Jim Bobinski, Donna Greco, Jon Sheaffer, and Richard Calkins. Also in attendance is City Planner Martin Connor.

Mr. Calkins read into the record an announcement from the Connecticut Federation of Planning and Zoning Agencies addressed to Mr. Marty Connor, stating he will be receiving a Lifetime Achievement Award to be presented at the Aquaturf this evening. Mr. Greg Mele will also be receiving an award this evening, a Length of Service Award, to recognize twelve years of service to this Commission.

Mr. Connor provided details on the Regional Transportation Forum that is scheduled for Torrington next Tuesday, March 22, 2016 and the needs for public transit. Mr. Connor expressed the need for a real transit facility. Mr. Connor urged members of the Commission and anyone from the public who is interested to be at the Sullivan Senior Center from 4:00 to 6:00 p.m. for public transit issues. At 6:30 p.m. the meeting will continue regarding bicycle and pedestrian transportation in the area and we have had many discussions on sidewalks in the area, and we have a very active Torrington Trails Network group. On Thursday, April 7, 2016 there will be forum on rails, and that will be held at the Northwest Hills Council of Government Offices from 6:30 to 8:30 p.m. There is a group trying to get rail transportation back to the Northwest Corner which could be exciting. These are important forums, and Mr. Connor encouraged people to attend and participate.

3. Minutes for Approval:

a. 2/17/16

MOTION by Mr. Summers to approve the 2/17/16 minutes, seconded by Mr. Mele, unanimously carried.

4. Old Business:

a. Enforcement Update

No update.

b. Site Plan 1177

Applicant: Panera, LLC; Dean DeNardi

Location: 1902 East Main Street

Proposal: Construct 390 square foot addition to existing Panera Bread, addition of drive thru.

(no representative in attendance, passed until later)

5. New Business:

a. Location Approval and Site Plan 1183

Applicant: CAO Enterprises LLC

Location: 2101 Winsted Road

Proposal: Repairer's license, Location Approval (set public hearing date)

MOTION by Mr. Mele to set a public hearing date of April 13, 2016, seconded by Mr. Summers, unanimously carried.

b. Special Exception 16-308

Applicant: Brian Butler

Location: 478 Norfolk Road

Proposal: Construct residential addition within front yard setback (set public hearing date)

MOTION by Mr. Mele to set a public hearing date of April 13, 2016, seconded by Mr. Summers, unanimously carried.

c. Site Plan 1181

Applicant: Joselito Mateo

Location: 94 Washington Avenue, a/k/a 70 Central Avenue

Proposal: Change of Use to Grocery Store (former restaurant)

MOTION by Mr. Mele to table this agenda item, seconded by Mr. Summers, unanimously carried.

At 7:07 p.m. Chairman Calkins announced a recess.

At 7:15.m. Chairman Calkins called the meeting back to order.

- b. Site Plan 1177
Applicant: Panera, LLC; Dean DeNardi
Location: 1902 East Main Street
Proposal: Construct 390 square foot addition to existing Panera Bread, addition of drive thru.

Steven Maloney, 21 Irene Court, Newbury, MA appeared before the Commission representing the applicant. Mr. Maloney presented their proposal for a drive thru addition to the back of the building, and pointed to the location where the parking spaces will be relocated.

Mr. Calkins posed questions regarding the parking, entrance of drive thru, order spot location, and the drive thru stacking of vehicles. Mr. Calkins noted the tightness of the drive thru lane and the absence of a passing lane, which could be an issue in an emergency situation. Mr. Maloney, agreed, and noted the location of the retaining wall which prevents such a passing lane, a turnaround area was created (pointing to map). Parking was discussed. Mr. Connor noted the applicant exceeds the minimum parking requirements.

Mr. Connor read his memo to the Commission dated March 7, 2016.

MOTION by Mr. Mele to APPROVE Site Plan 1177

Applicant: Panera, LLC; Dean DeNardi
Location: 1902 East Main Street
Proposal: Construct 390 square foot addition to existing Panera Bread, addition of drive thru with the following recommendation:

1. It is recommended that the applicant follow the advice of Fire Chief Gary Brunoli contained in his letter to the City Planner dated 12/22/15.
Motion seconded by Mr. Summers, unanimously carried.

6. Public Hearings Scheduled for 7:30 p.m., Wednesday, March 16, 2016, City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT

- a. Special Exception 16-307
Applicant: The McCall Foundation, Inc.
Location: 417 Prospect Street
Proposal: Group Care Facility, 7 – 12 beds

At 7:31 p.m. Chairman Calkins opened the public hearing and stated serving on the Commission this evening will be Commissioners Melanie McMillan, Paul Summers, Jim Bobinski, Greg Mele, Jon Sheaffer, Donna Greco, and Richard Calkins. Also in attendance is City Planner Martin Connor and our Corporation Counsel Jamie LaMere.

Mr. Mele read the legal notice which was published in the Republican American.

Maria Coutant Skinner, Executive Director of The McCall Foundation, Inc. appeared before the Commission. Ms. Skinner verified the public hearing sign was properly posted, and the neighborhood notification receipts have been obtained.

Ms. Skinner reviewed their proposal for a twelve bed intermediate residential program for women ages 18 and older who are in active recovery from addiction. The treatment program is staffed 24 hours a day and seven days a week by trained professionals. It is a transitional level of care designed for women who have successfully completed a more intensive treatment program. Details of the treatment program were given by Ms. Skinner. This location will allow their other treatment location to convert to all men, and this location to be exclusively for women. Ms. Skinner reviewed how persons with drug and alcohol additions are covered under the Fair Housing Act.

Ms. Skinner outlined the parking rules for residents and visitors, and stated there is ample parking on site.

Mr. Dennis McMorrow of Berkshire Engineering and Surveying appeared and reviewed the plans, and reviewed how comments were addressed from various City staff. The proposed fence design/construction was discussed.

Tammy Joe Stevenson, a McCall Center Board Member for the last six years, appeared before the Commission, and is a person in long term recovery as well. Ms. Stevenson spoke in favor of the proposal and relayed some of her experiences in recovery. She is continuing her education in social work, and almost set to graduate CCSU and move on to obtaining a master's degree. An all women's facility is essential to recovery and not available in this community at this time.

Joe Petricone Jr., Hemlock Drive, New Hartford, CT appeared before the Commission. He is a Board Member as well, and he read two letters of support for this project. (letters in file). One was from the State of Connecticut Commission on Mental Health and Addiction Services. Another letter from Libby Furniture Services in support of the application was read, noting the many people they have employed through McCall Foundation.

Commission members posed questions, which were answered by Ms. Skinner.

Mr. Connor read his memo to the Commission dated March 11, 2016.

City Corporation Counsel Jamie LaMere appeared, and provided information on the Federal Fair Housing Act, along with information from Mr. Connor.

Vinny Basquin, son of the property owner, appeared before the Commission in favor of the proposal. He spoke of the need for such a center to help people with addiction issues.

Maureen Shepard of 117 Pearl Street, Torrington appeared in favor of the proposal, with a few concerns, but she has faith McCall Foundation will be a good neighbor.

Christopher Wall, Shingle Mill Road in Harwinton, appeared. He has a law practice right around the corner. He has a large number of clients who have had personal injuries, and then those clients have become dependent upon narcotics. He has seen many people helped by the McCall Foundation, and this is a win/win situation. He is in favor of the application.

Susan Madison appeared as a treatment professional, and someone in long time recovery. She is in favor of the proposal, particularly a women's program. This problem is a huge

epidemic, and it must be addressed. McCall Foundation is a great program, and Ms. Madison noted her credentials and education.

Mr. Calkins called for comments in opposition to the application.

Heather Kelley of 69 Barber Street appeared before the Commission with a petition signed by residents of the area. There are two issues she has. She has concerns with inundation, downtown Torrington is becoming the rehab district. There is a sober house on Pearl Street, there are two McCall Foundation homes two blocks away, there is one on High Street, perhaps this is the fifth such house in the area. Ms. Kelley moved here seven years ago, and she would not have purchased her house if she knew there was a drug rehab facility a few houses away. She knows if she ever wants to sell her house, she will have a very difficult time. With previous meetings with Ms. Skinner, Ms. Kelley said it was noted by Ms. Skinner that hardly any potential clients make it to this far in the program, with a successful outcome. This brings drug users to our town, and with that comes crime. As taxpayers, we pay very dearly for that recovery, as the amount of people who actually recover is very few. Something must be done, but does it have to be done in Torrington always, and in a Historic District as well. It seems unfair to the residents of Torrington that we are inundated to such an extent with rehab houses, even if this is the best program of that world. Signatures were presented to the Chairman. The community is for everyone, not just people who have acquired addictions and call themselves disabled because of that.

Mary Lou Stefanitis of 421 Prospect Street, a neighbor, appeared in opposition. She applauds the people who have been successful through this program, however, this is a volunteer program, it doesn't seem like it has a very high rate of success. How comfortable should she feel living next door to people who may not be as successful as those who have appeared this evening. The Courthouse is now in the area as well, and that will be a lot of pedestrian traffic, and there will be people at the Court because they have done something criminal, and that is another element in the community. There are two grammar schools a block away, St. Francis and Vogel Wetmore. She would have signed the previously mentioned petition, but she did not see it.

Nina Phalen of 70 Barber Street appeared. There are so many facilities of this type within a mile of her house. She has lived in this neighborhood since 1964. There are schools in this area, the Courthouse can be seen from her house, all the sidewalks are in terrible shape. It seems overwhelming, and there is one on Hotchkiss Pace, the corner of Migeon Avenue and Lake, we are paying for all these things. She is not convinced about the percentage of success rate. She is not in favor of this proposal.

Tom Jerram of 424 Prospect Street appeared before the Commission. He inquired what happens if there is no funding for this proposal, does the project go forward? He purchased his house on Prospect Street in 2011, after selling his house on Hoerle Blvd. to move to a mature neighborhood, he knew the neighbors and what was happening in downtown. He has another single sex helping facility in back of his house, fences don't help, there is a lot of noise, his yard is small. Zoning is to help quality of life, and this uncertainty is a concern, how do they protect their quality of life.

Joanne Connolly of 33 Clark Street appeared before the Commission, she is concerned where the fence is going to be, and she inquired about surveying and she wants to know where the fence will be located. There are many children in the area (portions inaudible). She expressed concern that there will be no buffer, and it will be used as a short cut to the

Courthouse. There are so many people with needs in Torrington, and how much can we support, and why do we have all these places? Why doesn't Litchfield have some of these facilities? Why is it all concentrated in Torrington. She wants some protection and a fence, and she doesn't want children or anyone coming onto her property. Does anyone supervise the children or visitors? Only one person on site to supervise in the evening is not enough, and it could be a dangerous situation. She wants a fence put up to protect her property.

No further comments from the public.

Dennis McMorro spoke, and noted the proposed fence along the West property line and the north property line to screen the parking area. McCall Foundation is willing to put up a fence around the area where the barn will be demolished. Yes, an A-2 survey has been done by his office and it is part of the file.

Ms. Skinner responded to questions/concerns. This level of care has the highest level of success, due to the extended time dedicated to recovery. There are so many variables, and a percentage/success rate cannot be pinned down. More details were given regarding success rates. Visits from children with their mothers are supervised, it is not a free for all with children running around. Regarding budgetary concerns, Ms. Skinner is confident they will receive funding based on her conversations with various agencies, and dollars have been earmarked for this project. She spoke of some of their fundraising efforts. They will ensure visitors will park properly on site. At midnight, there is a staff change that only one person is on staff until 7:00 a.m. There are strict contractual requirements regarding visitation, and much of that is the residents responsibility, and if visitors show up uninvited, the staff person does intervention to make sure that person is no longer on the property. Police are called if necessary for unwanted visitors.

Ms. Skinner noted that there are thoughts that Torrington is shouldering an unfair burden of social services. Torrington is the ideal place for this program, as they have other properties within one square mile, and there are other staff very nearby at all hours of day and night. This is the largest City in Litchfield County, and that's why these facilities are located here. Transportation is a huge issue in this county. Ms. Skinner stated McCall Foundation is a positive, and helpful to turn problems around, not to place an additional burden on neighborhoods. Ms. Skinner reviewed the multiple houses/programs they have in the area.

At 8:59 p.m. Chairman Calkins declared the public hearing closed, and a decision is forthcoming within 65 days.

- b. Proposed Zone Change
 - Applicant: Chon Escobar
 - Location: 23 Crestwood Road
 - Proposal: Zone Change, split zone on subject property, partial Local Business and partial R10s zone. Change parcel to entirely Local Business Zone

At 9:05 p.m. Chairman Calkins opened the public hearing and stated serving on the Commission this evening will be Commissioners Melanie McMillan, Paul Summers, Jim Bobinski, Greg Mele, Jon Sheaffer, Donna Greco, and Richard Calkins. Also in attendance is City Planner Martin Connor.

Mr. Mele read the legal notice which was published in the Republican American.

Chon Escobar, applicant, appeared before the Commission and spoke of his restaurant business on East Main Street, and he would like to expand his business to the next site.

Mr. Connor noted the zone line goes through the middle of the property and the current house on site.

Mr. Connor read his memo to the Commission dated February 29, 2016.

Christine Escobar of 78 Windtree appeared before the Commission in favor of the proposal.

No further comments from the public.

At 9:15 p.m. Chairman Calkins declared the public hearing closed.

MOTION by Mr. Mele to APPROVE Zone Change

Applicant: Chon Escobar
Location: 23 Crestwood Road
Proposal: Zone Change, split zone on subject property, partial Local Business and partial R10s zone. Change parcel to entirely Local Business Zone

The Commission hereby finds the proposal to be consistent with the City's Plan of Conservation and Development. The effective date of the Zone Change shall be the day after publication of the legal notice of decision in the local newspaper. MOTION seconded by Mr. Summers, unanimously carried.

- c. Special Exception 16-306
Applicant: Christopher Wall
Location: 26 Prescott Street
Proposal: Professional Office Space in R6 zone (currently single family use)

At 9:15 p.m. Chairman Calkins opened the public hearing and stated serving on the Commission this evening will be Commissioners Melanie McMillan, Paul Summers, Jim Bobinski, Greg Mele, Jon Sheaffer, Donna Greco, and Richard Calkins. Also in attendance is City Planner Martin Connor.

Mr. Mele read the legal notice which was published in the Republican American.

Christopher Wall of 84 Shingle Mill Road, Harwinton, CT appeared before the Commission and explained his proposal to use this property as a professional office space. It used to be used as the Girl Scout office, and was renovated and the last use was a single family house. Details of parking were given by Mr. Wall. Notices to abutting property owners were turned in by Mr. Wall, and he verified the public hearing sign was properly posted.

Mr. Connor read his memo dated March 4, 2016 to the Commission.

No comments from the public.

At 9:26 p.m. Chairman Calkins declared the public hearing closed.

MOTION by Mr. Mele to APPROVE Special Exception 16-306

Applicant: Christopher Wall

Location: 26 Prescott Street

Proposal: Professional Office Space in R6 Zone (currently single family use)

with the following conditions and recommendation:

1. The applicant shall address the comments from Ray Drew, Administrator, WPCA, contained in a memo to the City Planner dated 3/1/16.
2. The proposed handicap parking space shall be paved with the required signage and parking lot markings prior to the issuance of a Zoning Compliance for the professional office use.
3. It is recommended that the applicant follow the advice of Fire Chief Gary Brunoli contained in his letter to the City Planner dated 2/16/16.

MOTION seconded by Mr. Summers, unanimously carried.

d. Zoning Regulations Amendment

Applicant: City of Torrington Planning and Zoning Commission

Proposal: Zoning Regulations, Amendments to Section 7.2,
Flood Hazard Regulations

MOTION by Ms. Greco to continue this public hearing to April 13, 2016 at 7:30 p.m., City Hall Council Chambers, 140 Main Street, Torrington, CT. Motion seconded by Mr. Mele, unanimously carried.

7. Public Hearing Scheduled for 7:30 p.m., Wednesday, April 27, 2016, City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT

a. Special Exception 16-305 and Site Plan 1178

Applicant: Greenstone, LLC

Location: 70 North Street

Proposal: Special Exception for storage of more than 100 cubic yards of earth materials; and site plan for vehicle parking and equipment storage outside of enclosed structure

Passed until the April 27, 2016 meeting.

8. Adjournment:

MOTION by Mr. Mele to adjourn at 9:29 p.m, seconded by Mr. Summers, unanimously carried.